

THE  
POWER  
OF THE  
CIVIL MAGISTRATE

In matters of RELIGION,  
VINDICATED.

The Extent of his Power determined.

In a SERMON preached before the  
First PARLIAMENT on a  
Monthly Fast day.

BY

The late faithfull and laborious servant of  
Christ, Mr. STEPHEN MARSHALL, B. D.  
and Minister of the Gospel for many yeers in *Finchenfield*,  
but the two last yeers of his life in *Ipswich*.

Published by G. FIRMIN Minister in *Shalsford*,  
With Notes upon the Sermon.

*Isa. 49. 23. And Kings shall be thy nursing fathers, and their Queens  
thy nursing mothers, &c.*

*Isa. 60. 12. For the Nation and Kingdom that will not serve thee  
shall perish, &c.*

London, Printed for Nathaniel Webb, and William Grantham, at  
the sign of the Black Bear in St. Pauls Church-yard, neer the Little  
North door. 1657.

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To the Worshipful  
JOHN MEADE Esquire,  
dwelling in *Finchingfield*  
in *Essex*.

SIR,

**T**He exceeding love you bare to this Author  
[your dear friend and faithful Pastour] to-  
gether with that respect which your love unto me  
hath Commanded from me, have caused the Dedi-  
cation of what was *his*, and what is *mine* unto you.  
The Subject [though it may be not so profitable  
to you] is of great concernment in our dayes,  
wherein the old Serpent to the end he might have  
free passage for the Doctrines of Divels, hath by  
the mouths and pens of men Cryed downe the  
Civil Magistrates power in matters of Religion;  
which Stratagem of his may it prevail [and I wish  
it had not prevailed too much] then as *Mr. Cotton*  
saith, *Rejoyce ye Hereticks, Idolaters, Seducers, go on* Answ. to bloody  
Tert. c. 33.  
*and make bucock of the Sheep of Christ like ravenous*  
*wolves; you may now doe it [impune] without fear or*  
*danger.*

It had been well if this Author could have been  
prevailed with, to have published his many spiri-  
tual

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THE EPISTLE

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tuall and practicall Sermons upon *Prov. 4. 23.* in which worke and Preaching of Christ he tooke most content: I know boah your selfe and others urged him to it, and could he have wrought with his hand. (by writing) as he could with his head and lungs, we had enjoyed them: A labourer he might well be called, few such Labourers hath he left behind him: we say men cannot worke that doe not *eate*, but he could worke when for many weekes (yea monthes) he could not *eate*, his worke was meate to him: a *Christian* was his profession, and *Christianity* was his practice; Bookes, he told me never taught him to preach Christ, but yet how well acquainted was he with Christ, his sermons declared, and that excellent sentence of his when we were discoursing with him about his death at your house. *I cannot say as he, I have not so lived that I should now be afraid to dye: but this I can say, I have so Learned Christ that I am not afraid to dye.* Faith he preached, by Faith he lived, by Faith he died; he answered the Apostles exhortation to *Timothy*, *1 epist. Cap. 4. 12.* *Be thou an example of the Believers in Faith, &c.* amongst all his other graces, this Gemme did shine most gloriously: what you have lost by the removal of such a friend you know best: I know he was an Instrument by whom the Lord conveyed much Comfort unto you in your pilgrimage: yet this is some comfort, that while you had him, the Lord gave you a heart to improve him, and so improved him, that I doubt not what is said of *Abel* in another



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DEDICATORY.

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ther case, *He being dead yet speaketh*; it may be Heb. 11. 4. said of *Mr. Marshal*, though he be dead, he yet speaketh to you. It will not be long, but the people of God shall be freed also from this evil [which our honoured friend was wont to say, was one of the greatest outward evils] *the loss of friends*: you are hastening, and in a good way [I doubt not] to that place, where you shall meet with your dear and christian friend again, and with many others gone before you; the Lord hath kept you hitherto steady, sound, unshaken, in these times, holding fast to the old truths, [which I esteem an honour in these daies] hold there still [good Sir] for they must stand in stead when we come to dye. I shall add no more, but crave your acceptance of what I have presented,

Subscribing my selfe

your Servant,

GILES FIRMIN.

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To



## To the Reader.

I Have heard it reported since this reverend Author died, that **I**n his death-bed he charged his Executors that none of his Notes should be printed: If any then should say to me, Why doe you publish these? I answer. First, These Notes I had from himselfe, and I know as perfect as any he hath left behind him. Secondly, I told him while he was Living, if he would not publish his Sermon, I would publish what Notes I had: The reason why he would not publish his Sermon, was this, because in some things [especially in his 4th Argument to prove the Magistrates power] he differed from some other Divines, which might Occasion some to write against him, and for him to Reply [writing being to him a most tedious work in his health, much more in his sickness] he would not doe it: but that reason being now taken away, I have taken this liberty to publish his Notes. Though they are but short, yet they containe the Substance of the Doctrinall part of his Sermon, which was preached in the Parliament House on one of the last Monethly Fast dayes, and gave great Content to the soundest part, professing they never heard so much before. For the application of his Doctrin, I did not desire it, the Doctrinall part [upon such a Subject as this] being the maine.

For the other Notes which I have added, I hope the Reader will not judge them either impertinent or uselesse, considering our times: I took Counsel of such, whom I know to be godly, judicious, and learned, before I would publish them, and they wishing me to it, I have presented them to your View, and Committed them to the Lord for his blessing.

The



THE  
CIVIL MAGISTRATES  
POWER IN MATTERS  
OF  
RELIGION PROVED.

1 Tim. 2. 2.

*That we may Lead a quiet and peaceable life in all Godlineſſe and Honesty.*

The Observation is this.



*Hen Civil Magistrates themselves are brought to the knowledge of the truth, they will make it their great Care, that the people of God under them may live a peaceable life in all Godlineſſe and Honesty.*

Observation.

It is the end why the Apostle exhorts the Saints to pray for them, and it is to be believed that God would not direct his people to beg for that in order to their office, which doth not belong unto their office.

Objection. True, If any will be Godly, the Magistrate must provide that they may live peaceably and quietly, as if men be married, Learned, &c. the Magistrate must provide, that such may live quietly: this is the meaning and no more.

Objection.

Answer. Will any say the same of the Second, viz. Honesty, that if men will be honest, the Magistrate must provide they may live peaceably? Is it not true [who dare deny it] that the Magistrate is bound to provide that men live honestly in matters

Answer.

matters of the *second table*? to make lawes about it and see to the execution of them: why then must he not provide for Godlineſſe, under the *first table*; the Holy Ghost hath joy-  
ned them both together in the *Text*.

*Caution.* I mean not when Magistrates are Cœdly then they must begin to doe this as if it were not their duty, or they had not power before [*Dominum non ſundatur in gratia*] but he is not qualified to Cause this before.

The married man converted, is bound to endeavour the Conversion of his wife and children, he will now seek it; being converted he is qualified for it, but it was his duty to seek the spiritual good of his wife and children before. So here

In the Doctrine, are three parts of the Magistrates duty.

First, Publike peace, 2. That the people live in honesty. 3. Godly. The two first there are none have doubted of, but the third is the question of our times. To make way to it, I shall lay down this Conclusion as the Foundation of what shall follow.

That, *Civil Magistracy is a Divine Institution*: therefore, First, God hath appointed some to rule, and some to obey. Secondly, He hath given them rules about their Laws, that they be conformable to his mind.

Thirdly, In the Execution of them the Magistrate is Gods Vice-gerent.

Fourthly, He is accountable to God for his Office.

This Foundation being layed, Two Questions will here arise.

1. Q. *Whither the Lord hath Committed to these Magistrates the Care of Religion?*

2. Q. *If so, what he hath committed to them in this bechalse?*

To the first I answer affirmatively, and thus I prove it.

First out of my Text: he must take Care that is people live in all Godlineſſe. To whom the End is committed, to him the *Media* are Committed; none can deny this: If godlineſſe the End, then all the *means* to this end he must take care for.

Secondly,

Secondly, From all the examples in the Old Testament ; Why Magistrates under the Old Testament should be types more of Christ in matters of Religion [belonging to the first Table] then in matters of justice [belonging to the second Table] I know not. [*Non distinguendum est ubi Scriptura non distinguit*] What ever colour they turn for the Kings of Israel, David, &c. who in some things were types of Christ ; yet this cannot be said of the Heathen Kings, Cyrus, Artaxerxes, for whose care in this matter the Church blessed God, Ezra 7. 27.

Though we infer not that Magistrates under the New Testament, are bound to doe in every particular as they did; yet as they did set up the worship of God, and all means tending to godliness under the Old Testament, so must ours now set up the worship of God and the means tending to godliness under the New Testament.

Thirdly, I prove it from Gospel-promises under the Old Testament of Magistrates what they should be under the New Testament, Isa. 49. 23. *And Kings shall be thy nursing fathers,* &c. so Isa. 60. 10. *And their Kings shall minister unto thee.* Now if God promise that Magistrates shall be such nursing fathers, then they ought to endeavour to be such.

To which may be added the exhortation to Kings, Psalm 2. and Psalm 24. *As Kings,* they must open the gates to Christ.

Also the threats against such as will not serve the Church, Isaiah 60. 12. *For the Nation and Kingdom that will not serve thee, shall perish; yea those Nations shall be utterly wasted.*

Fourthly, Because Jesus Christ as Mediator, hath the Kingdom and the power; *He is head and ruler over all for the Churches good,* Eph. 1. 22. Therefore all being under him, must be subservient to him and his ends, Prov. 8. 15, 16. *By me Kings reign,* &c. which is meant of Christ, v. 23. *I was set up from everlasting.* The Hebrew word is the same with Psalm 36. *I have set [anointed] my King.* *Unctus, regno inauguratus sum, Princeps constitutus sum.*

B

Fifthly,

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5. Fifthly, From the fourth Commandment; *Thou, nor thy son, nor thy daughter, &c. nor the stranger.* Every one that hath others under him must see that they keep the Sabbath. And therefore the Magistrate (as did Nehemiah) if the time for the worship belongs to the Magistrate to take care of, then likewise he must take care for the worship it self.

6. Sixthly, If the flourishing of Religion be the safety of the Commonwealth [as may be abundantly proved from Scripture & experience] then Magistrates must take care of matters of Religion. The Heathens care about their Religion will prove this; and the Scriptures shew how Idolatry hath broken all Empires. If all other professions, Physicians, Lawyers, &c. must come under the Magistrates power and care, because of the interest of the Commonwealth, then much more matters of Religion; because miscarriages in those reach but some particulars; but miscarriages in matters of Religion reach all, and are of a more dangerous consequence.

2 Chr. 15. 3.  
45. 6.

7. Seventhly, If Magistrates must not meddle in matters of Religion, then the Ordinances & Acts made by Parliaments about the Sabbath, for propagation of the Gospel, with Acts and Committees for like businesses, your Fasts, Thanksgivings, are all unjustifiable proceedings if not horrid usurpations; yea the professed desire of this present Parliament held forth to all the world in the late Declaration of July, 12. 1653. is a vain and empty thing [to say no worse of it] the words are these, Page 6, *That in all we may be fitted and used as instruments in the hand of God, for more full and clear revealing of the Lord Jesus, and for the right promulgation of his blessed Gospel, and for the true interest of his Kingdom and advance thereof in the hearts of men, by real true goodness, righteousness, peace and joy in the holy Ghost.* Now if you were right you would do as Theodotus, you would *Hic agere.*

The second Question: *What Care hath God Committed to the Magistrate in the matters of Religion?*

This is a harder question: two extremes w<sup>e</sup> commonly find.

find. First, Some give too much, all must be *ad nutum Magistratus*. Secondly, Some give too little; as if no Care at all did belong to the Magistrate, but he must give Liberty to all. Woful experience teacheth when Magistrates doe meddle with Religion, they either meddle with what they should not, or neglect what is enjoined them by God. But I will bring my discourse to two heads; shewing, First, what the Magistrate must *not* do. Secondly, what he must do.

What the Magistrate must *not* doe.

First, Magistrates must not doe what is good in their own eyes: Your wisdom, reason, and will, must not be the rule of your proceedings herein, but the revealed will of Christ, by which you are to be guided, *Deut. 17. 18.* when the King sitteth upon the throne of his Kingdom, he shall write him a Copie of this Law in a book, &c. Nor may Magistrates prefer reasons of State [as they are called] before reasons of Religion held forth in Gods word.

1.

Your wisdom and reason in matters of the Commonwealth is *regula regulans*, but in matters of religion, *regula regulata*: every pin of the Tabernacle was appointed.

Secondly, Nor are they to give themselves up to follow the Dictates of other men whatsoever, till the Word show it to be their duty: they are to inform themselves from the Word, *Deut. 17. 18.* [This head was improved against the Popish Clergy, who binde the Civil Power to execute what they determine.]

2.

Thirdly, Nor do I find a warrant for Magistrates to compel any to the profession of truth, *Psal. 110.* *His people a willing people.* To Order what men shall believe, is to exercise Dominion over mens Consciences: It is One thing to cause the people to attend the means, and another to make them believe the truth, the first they must doe, but not the second: Faith is Gods gift. It is one thing to hinder Idolatry, and blasphemy spreading, another thing to make people renounce an opinion, and embrace the truth.

3.

*Sed nec religionis est cogere religionem, qua sponte suscipi debet. non vi.* Terent. ad Scap.



*Nova & inaudita est ista predicatio, quæ verberibus exigit fidem, Greg.*

Fourthly, neither may Magistrates deprive the Lords people of any one of the priviledges he hath bought with his blood: in civils, when reason require, they may: but not in religion. What he hath left indifferent, they must leave indifferent; as if the Lord should appoint his servants such cloths, colours, dayes, &c. and the *steward* hinders, the *steward* is now a Lord, not a fellow servant.

Fifthly, Nor must the Magistrate deny that Indulgence, Toleration, to all the Lords people, in their weaknesses, whether of Iudgement or Conversation; which Christ would have his Saints exercise one towards another.

Now I come to the second question, *Positively*, what must they Doe?

*General rules.*

*Ans.* I will lay down two *general* rules; then I will come to some *particular* rules. The general rules are these,

First, As all men in their Callings must order their business so, as the way to heaven may be most promoted in themselves and those which relate unto them: So the Magistrates in ordering and regulating the peace, trade, and all interests of the Commonwealth, are to doe it so, that all be subservient to Christs great Interest, that his people may be promoted in their way to eternal life. This is like to Christ: *Eph. 1. 22. who is head over All things to the Church.*

Secondly, To take Care that all the Lords Institutions be Observed; what he hath appointed to be done, they must see it done. The Heathen King hit it right, *Ec. 7. 23. Whatsoever is Commanded by the God of Heaven Let it be diligently done.*

They are to look to the preservation and restauration of Religion: as the Physician either aimes at the preservation, or restauration of health: And in subserviency to these, to come to *particular* rules.

*Particular Rules.*

First, they are to doe as *Jehshaphat, 2 Chron. 17.* and *Hozekiah 2 Chron. 29.* That sent forth according to Gods Order, approved, faithful Ministers, by whom truth of reli-

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gion, puritie of worship, wayes of holines, may be published, inculcated, and whattsoever is contrary to sound and wholesome doctrine, and Godlinesse, may be discovered, confuted, reprov'd: and with the same *Hezekiah 2 Chron. 30.* they are to speak comfortably to those who teach the good knowledge of the Lord.

Secondly, In order to this, they are to erect, maineaine, Schooles, and Universities, and to allow unto the Ministers, honourable maintenance it being Gods expresse Ordinance, *1 Cor. 9. 4* that they which preach the Gospel should live of the Gospel. They are Nursing fathers, then they must provide bread.

*Q. Whence or how shall this maintenance rise, and be provided shall they who may not compell men to the faith, compell them to maintain Ministers to preach the faith?*

*Ans.* The publike provisions by Glebes, Tythes, and such publike *stipendia* already settled by law, whereof the magistrates are the publike Feoffees; and which are not the peoples [and for which going and issuing out of their lands and labours, consideration is had, and abatement made in all purchases and letting of lands, as for a Rent charge, or rates for the poor, and therefore no more to be counted burdensome or opprelling, nor contention to be made about them; then any the forementioned charges.] These if good order were taken to see them paid, would go very far to help, and what is lacking the Magistrates cannot want means to maintain the Ministers of the Gospel, more then the Ministers of State, if there be a will to it: we see you can doe it to whom you please.

Thirdly, They may Command and Order the people to come and attend upon the Ministry of the Word, as the means instituted by Christ for their instruction to salvation, It is one thing to order them what they shall believe, another thing to order them to wait upon the means. All grant the civil Magistrates may call publike Assemblies, to hear their Proclamations, and Statutes, &c. read: it they may call a whole Town to hear a Law, then much more may they

Here he tooke hold of something which Mr. Williams [though an enemy to the Ministry] had granted in one of his books.

they call them and order them to keep Gods Laws.

Fourthly, When people have declared themselves to be a willing people, and professe to embrace the Lord and his waies, then may the Magistrates engage them by Covenants, stirring them up in a Moral way: thus did the godly Kings of Judah, though they Compelled none to become profelytes, yet when they were become such, they engaged them as well as other Israelites, by Oaths, Covenants, Curse, to walke worthy of the Lord: And this you doe now (in effect) in Commanding Fasts to be kept, wherein the Covenant is renewed &c.

Fifthly, It belongs to the Magistrates, to reject corrupt and unworthy Ministers; for it cannot stand with the faithfulness of Nursing-fathers to Commit their Nurse-children to such as will starve, or poison them, Ezek. 34. By corrupt Ministers, I doe not mean such as labour under any infirmities, for who is sufficient then? But I mean ignorant, erroneous, scandalous, unfavoury Salt; thus Samael visited from Bethel to Gilgal, &c.

Sixthly, They ought to prevent, and pull down Idolatry, Superstition, being spiritual adultery, and esteemed by God as the defiling of the marriage bed: this was so charged upon Magistrates, and so practised in the old Testament, that the uprightness of their hearts was judged by it: And in the New Testament it is foretold, that as the ten Kings come into the Lord Christ, they shall hate the Whore, make her desolate, eat her flesh, burn her with fire, Revel. 17.

Seventhly, On the same account, they ought to doe the like by blasphemies and other damnable doctrines: the spreaders whereof are termed Dogs, evil workers, Wolves, and are not to be tolerated by faithful shepherds, i.e. Magistrates; the Office of a Nursing-father ties him as well to prevent his childrens poison, as to provide them bread. These

First, are workes of the flesh, Gal. 5. and can challenge no other Toleration then such works amongst which they are ranked.

Secondly, These are called a Leprosie, a Gangrene,

Thirdly,

Thirdly, These cause the way of stush to be blasphem'd, make religion a vain thing. There is a heavy charge against the Church of *Thysira* for tolerating of *Jezabel*, Rev. 2. and it will not be a light one against the Magistrates, if they shall tolerate, &c.

Which way to punish these is not so easie a question: [as to simple Heresy] But if men will spread them, then the question is not so hard. As if a Physitian should hold such druggs are fit for mens bodies, which yet are poysonful, the Magistrate would not punish him for this; but if this Physitian will administer and use those druggs in his practise, then the Magistrate may *non-licentiare* him. So here

If Magistrates would conscientiously and really discountenance such men, it would go far, both for preventing, and suppressing them: for commonly they take up such Opinions, to serve their own bellies, ambition, to serve men and factions; and if they were made infamous, they would as fast lay down.

Objection: But will not this expose Gods people to persecution, there are so few Magistrates good, and if their Consciences be misinformed, what then?

Answer. First, This objection was full as strong in the old Testament, yet then it was their duty, none question.

Secondly, It holds as much against the Authority of Parents in educating of their children; or Masters their servants, because many may be supposed, and are wicked, yet it is still a duty incumbent on them, and praise-worthy in them, the Godly.

Thirdly, The Inconvenience under *Jeroboam*, &c. was foreseen by the Lord before he made his Laws, yet it did not hinder him from giving them, nor the godly Kings of *Judah* from walking by them.

Fourthly, The Magistrates Conscience is not the rule for him to go by, but let the Magistrate look to have his Conscience rightly informed from the word of God, which is his rule; then his Law to command to walk orderly, cannot be called Persecution.

Thus.

Thus sae Mr. Marthals for the Application of his point, he gave it not to me, nor did I desire it: These Heads of his Sermon being but short [yet clear enough to an Intelligent head] I shall desire to add some Notes upon these Heads, tending to clear them, and I trust not unprofitable to the Reader.

**W**Hither the Civil Magistrates Power reacheth to matters of Religion, is not a question first started in these troublesome times. *Vtenbogardus* [and his followers] from *Mat. 17. 18* and other Scriptures which he thinks make to his purpose, together with the examples of *Moses*, *Josua*, &c. thinks the Civil Magistrate is so much concerned in matters of Religion, that he affirmeth the Care of Religion is chiefly and in the highest degree, committed to him immediately from God, but not to the Ministers immediately, but in the name and under the Magistrate; so that the Magistrate doth teach the people by the Ministers of the Church, and the Ministers doe their *actus* & sub Magistratu.

It was supposed that the putting in of those words into the Title of our Kings, next and immediately under Christ supreme Head and Governour, did lean this way, and gave offence to the Orthodox abroad. *Calvin* Calls them inconsiderate men who did it, and saith they were blasphemous when they Called him, the Supreme Head of the Church under Christ; *hoc semper me graviter vulneravit*, saith he: But *Dr. Reynolds* and *Nowell* took off that offence after ward.

The Papists on the other side that they may hold up the Authority of their Pope, and keep the Magistracy from meddling with their Clergy, together with some Hereticks who would have liberty to hold and vent their wicked Conceptions, these have shut the Magistrates quite out, they must have nothing to doe in the matters of religion: onely the Papists will give them so much honour as to be the Executioners of the decrees of their Church.

The Orthodox look on both these as unsound, proving said that with strength enough, that the Ministers of the Church receive their power immediately from Christ, not

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from the Magistrate: yet withall they strongly prove both against Papists and Hereticks, that he is not excluded from having power about matters of Religion.

Our Author hath given seven Reasons to prove the latter, and I doubt not but they will appeare to be reasons to rational men: Some scruple there may be about the fourth, which was the cause why he would not Print his Sermon as I have hinted in my Epistle to the Reader. But yet to clear our Author, this I will say for him; he did not intend to side with Mr. Coleman and Mr. Hussy, in their judgement about the Civil Magistrate, *v. z.* that, *Jesus Christ as Mediator hath substituted and given Commission to the Christian Magistrate to govern the Church in subordination to him: or that he is a Governour in the Church Vice Christi.* These Mr. Galespy op-

*Aars. 10d. P.  
209.*

pose. I never heard him publikely, nor privately own any such thing, that text in *Ephes. 1. 22.* which he quotes, lead him [with other texts] to what he hath said. That text he handled largely in the Countrey upon the Lecture daies, and while I viewed over some Notes I took from him, I saw enough to Convince me he was far from their judgement. I will give the Reader a taste. For his Analysis: "There is "a double Dominion Christ hath by sitting at the right hand "of his Father, ver. 20. 1. A Dominion over all Creatures. "2. Over his Church: The first is laid down in three expressions. 1. He hath lifted him up above all, &c. 2. Put "all under his feet. 3. Gave him to be Head over all. The "second is laid down in two expressions.

"First, That he hath a headship over this as his body: a "political Head he is to all, but they are not his body as his "Church, to which he is, *q. d.* a natural Head. Secondly, "It is his fulnesse.

"Again, These two Dominions are laid down under a "double Consideration.

"First, What they are simply in themselves.

"Secondly, What they are in relation one to another, "What is it to the Church that Christ is head of the world? "and What to the World that he is head over the Church;



“what are they better or worse? He hath given him to be head  
 “over all things: To the Church. The same relation then that  
 “there is between *Medium* and *Finis*; the Church hath not  
 “onely more of his heart and love, but *All* subservient to his  
 “Church; were it not for his Church, he would not soule  
 “his fingers with the world. Then drew up a generall  
 “Doctrine.

“Doctrine. Christ having finished the work of our Re-  
 “demption, hath now committed to him the Dominion  
 “and Lordship over all Creatures.

“One distinction I must premise. A double title Christ hath  
 “to this Lordship. First, *Natural*, as the second person of  
 “the Trinity, this is his essential right, and not meant here.  
 “Secondly, *Delegated*, as Mediator, given as a reward of his  
 “sufferings: this is a power immediately to execute, the  
 “sovereign Authority over the Creature. This power be-  
 “cause some question, I will prove: *Rom. 14. 9. Mat. 28. 18.*  
 “*Phil. 2. 6, 7, 8, 9, 10, 11. verses, Psal. 8. 4.* compared with  
 “*Heb. 2. 6, 7, 8.* besides Prophetical predictions, &c.

“Then he opened, wherein this Dominion stood: his  
 “third head was this. There are Constituted by Christ,  
 “powers, gifts, Authorities, *omnes species Magistratus*: and all  
 “Governments, what power soever they have, is from him.  
 “His Church-Officers do not belong to this. Thus much he.  
 Whence, if the Magistrate and the Church-Officer come un-  
 der different Dominions of Christ as Mediator, then though  
 he doth maintain the Magistrate to be under Christ as Me-  
 diator, receive his power from him, &c. yet it will not fol-  
 low that he governs the Church *Vice Christi*, for the Church-  
 Officer comes under another Dominion.

When *Greg. Naz.* would assuage the anger of the Presi-  
 dent, and told him, that he did not rule with Christ, govern the  
 Commonwealth with Christ, that he received his sword from  
 Christ, &c. I know not but he meant Christ as *Emanuel* our  
 Mediator, but yet *Greg.* did not think the President ruled the  
 Church under Christ. Yet hence will follow what our Au-  
 thor doth infer, That since the Magistrate is thus under  
 Christ,



Christ, that it is his duty to take care of Christ his Church, and doe what in him lye that his Master Christ be set up in his dominions, for the Church is that he minds more then Commonwealths, and these for the sake of that.

Give me leave to enlarge upon that which our Author in the sixth reason hath onely named: *The Heathens care about religion.* It is great shame to those who have the light of Scriptures, to deny that to be the Magistrates duty which those who had but the light of nature could see to be their duty: who knows any thing of the *Persian, Grecian, and Roman* Magistrates, and knows not the care they took about their Religion: shall the Turke take more care for his *Mahomet*, then a Christian Magistrate for his *Christ*?

When *Aristotle* would reckon up the requisites for a Commonwealth without which it could not be, he numbers six. *Food, Arts, Arms, money,* and (that faith the Philosopher which I should have named first) *Care of Divine things* [which they call the *Priesthood*] *Justice*: and so summes them up in the end of the chapter, *Husband men, Artificers, Military men, Rich men, Priests, Judges.* When God would unravel the Commonwealth of Israel, *Isa. 3. 1, 2, 3.* how many of these which *Aristotle* hath mentioned he doth threaten to remove.

These persons had need goe to School to *Plato, Aristotle, and Tully*, to know their duty.

Objection. *Christians are not to learn their duty from the light of nature, but the light of Scripture.*

Answer. In the matters of faith, things which we know onely by Divine Revelation, As about mans Redemption, The Trinity, &c. there indeed we cleave onely to the Scripture, natures light can shew us nothing here. But if we come to other moral duties, certainly they doe not understand what Natures light is that make so little of it: [though Scripture light doth not crosse natures light in this, for the Scriptures also are clear to prove the Magistrates Care, &c.] *Rom. 2. 14. the Gentiles that had not the Law did by nature the things contained in the Law.* There was a law of nature that did teach them many things of the Law of God written.

Pol. 1. 2. c. 8.  
τοῦ πρῶτου  
θεῖον ἔργον  
ἀναγινώσκοντες  
ἀνὰ τὴν ἰσχυρίαν

The law of nature, is but that Divine law implanted by the Author of nature in the nature of all men. Take the *moral* law strictly, and lay by the fourth Commandment, what doth it differ from the law of nature?

A moral law say some of our Divines, is such a law which is therefore Commanded because it is good, and is not therefore good merely because it is commanded [as the Ceremonial law.]

The goodness in a moral law for which it is therefore commanded, is, that Comely, suitable and meetness in the thing Commanded unto humane nature as rational, or unto man as rational. By rational, understanding, right reason neither blinded nor corrupted, πᾶν τὸ κατὰ τὴν λογικὴν τὴν οὐδὴν τὸ τοῦ ἀμαρτημαίσι. Clem. Alex. l. 1. c. 13. p. 1.

According to this rule examine our question, and see if the Magistrate be not bound, &c.

The Christian Magistrate knows God to be the true God, and Jesus Christ the Redeemer: he believes in this God and Christ, and knows he rules under this God, must give account to him of his actions as a Magistrate; doth it now follow or not with right reason that this Magistrate takes care that this God and Christ whom he knows and believes in, be also made known and as much as in him lieth be believed in? doth right reason judge that this Magistrature hath performed his duty to God and Christ, and may give a comfortable account to him though he neglects this?

This Magistrate having the highest power [under Christ] over the people whom he rules, a power of life and death [regularly] and so by his power may doe very much for the setting up of the honour of God and Christ amongst his people, [commonly following the example of their chief rulers] doth right reason say this Magistrate should not take Care for the things of God and Christ?

Again this Magistrate knows that in the knowing and believing in this God and Christ consists his own good, and the good of all men; doth then right reason say that this Magistrate, who is a Minister of God for the Good of his people, Rom. 13. 4. doth take care for the Good of his people, who takes

I will not med-  
dle with that  
great question  
whether any  
thing be ju-  
stum & bonum  
antedecedit ad  
Divinam Vo-  
luntatem. Pa-  
vres & schola-  
stici docent,  
Deum non velle  
res quia bone  
sunt, sed eas esse  
bonas quia à  
Deo sunt volita.

Yet say our  
Divines nulla  
est Lex justitia  
in actionibus  
Divinis prius-  
quam voluntas  
acceperit: nihil  
est justum  
nisi quia voli-  
tum, quamvis  
non sit justum  
quà volitum,  
sed potius qua-  
tenus à sapien-  
tia divina di-  
datum.

Twiss. vind.  
gra. p. 228.  
Rhzt. Apol.  
345. Brad-  
ward. 231. 233  
594.

takes not care that all the people under him doe come to know and believe in this God and Christ, that they also may be happy with him? Let any man who hath *right reason* left in him then see, whether that Magistrate be not a great sinner against the moral law of God, who doth not the utmost that in him lieth to promote the Interest of God and Christ, amongst those over whom he ruleth, there being the same ground for this duty that is for any other.

Some *Lawyers* reckon *Religion* amongst those things which pertain to the *Law of Nations*, because by Natures guidance we learn there is a God, and that this God ought to be worshipped: Shall then Christians who have both the light of nature and of Scripture, and both agreeing in the Magistrates duty about Religion, deny it?

Shall I draw another reason to prove the Magistrates Duty, &c. The best way for the Magistrate to procure *Honesty* amongst his people, yea and a good way to establish his own power, is to endeavour, that his people may live in *Godliness*. For *Honesty* it is clear, for who shew more *Honesty* in their conversations, then those who have most *Godliness* in their hearts. If men be right in the *first table*, they will be in the *second*: the Magistrates are not much troubled with these.

For the second thing, experience hath proved it, that the Magistrate hath had need of the *Ministers pen* to maintaine his power in the Consciences of people, as well as the Ministers have had need of his *Sword* to defend them against unconscionable people. How many pages have the Ministers pen filled in defence of the Magistracy against the Anabaptists? whence it was truly said by one of our ablest Lawyers in his charge at the Assizes, *were it but for our own selves* [i. e. the upholding of the Magistracy] *we had need uphold the Ministry.*

For that *Deut. 17. 18.* a text commonly brought to prove that the Magistrate is *keeper of both Tables*: and *Vtenboordius* [whom I named before] draws it to uphold his Opinion, others wave it, thinking it related only to the Kings own person.

See *Calvins*  
Epistle to K.  
*Edward the 6.*  
(before his  
*Commentary*  
upon the *Catholick*  
*Epistles*) toward  
the latter end.

See him also in his Epistle to the same King, before his commentary on *Isaiah*; out of which prophesie he gathereth divers things and applies them to the King.

2 Pet. 2. 1.

But the Kings actions and the Verdict of the Scripture concerning those actions, best interpret it: we see they did meddle and that much in matters of religion, and they are commended for so doing: 2 *King.* 18. 6. the text had spoken before of *Hezekiah's* Carriage toward God, v. 5. and the matters of Religion in v. 4. and this text saith, *he kept the Commandments which the Lord Commanded Moses*. Then it seems *Hezekiah* took himself to be Commanded to do what he did.

For those who would yield it to these because they were Types, &c. our Author hath answered before: I add onely, *Right reason* saith there is as much need of such acts of the Magistrate now as then; for mens hearts are as vile now as then, as apt to corrupt the worship of God now as then, and the text saith plainly, there will be *dammable Heresies*, and shall not a Christian Magistrate regard damnable Heresies? besides, Christs Kingly power reacheth *Honesty* I hope as well as *Godliness*, if therefore they being Types or Christ his Kingly Office, ours must now cease meddling with Religion, by the same reason also with *Honesty*, and Commit all to the King Christ. This were excellent Divinity!

I have heard of some who have been numbred amongst our Grandees that would yield, *that the Magistrate was bound to pull down Antichrist, but not to set up Christ*. This is a new and I conceive a *Vain* distinction. Pull down Antichrist? What then? Let Mahutanisme, Heathenisme, Judaisme, spread and over run the Nation, Christ must shift for himself it seems! but doe they think the Magistrate is bound, then surely by a Command: If so, doth the Command bind one'y to the *Negative*, and not the *Affirmative* part? this is strang.: *Asa* did not think so, 2 *Chron.* 13. ver. 3. he answers the negative part, *verse* 4. the affirmative:

But I doubt this distinction was taken up to serve some other designs. Antichrist they must pull down, how else pull down all the Hierarchy, and all the Ministers Ordained by them; how shall we get such and such things into our fingers that are of great worth, but set *Antichrist* upon the head of these men and things, then down go all these *Black-coats*, and the profits are ours.

But

But leaving these, our state hath declared that the Magistrate is concerned in matters of Religion; for we find laws made in reference to every Command of the first table. Indeed we could wish there were more, and that there were not some things granted, which do under-mine those which are made. Yea the supreme power have called the people of this Nation together, to humble themselves in solemn daies of Fasting and Prayer, and amongst other Causes, because of *Heresies, men growing weary of preaching of the Gospel, and of the Ordinances of Christ*, this shewes that the Magistrate is Concerned: these things I conceive to be true.

First, Though every sin in its own nature deserve humbling, yet to have a Nation called together solemnly thus, it hath not been for sins of a small size; they are sins commonly in *Folio*; as for those infirmities of judgement or practise which Christians are bound to bear with each other in, surely these are not the Causes of such solemn daies, must I bear with that, which I must keep a solemn day of Fasting and Prayer to seek God against? I conceive not.

Secondly, If the Magistrate finds such evils as to Call the Nation thus, then surely he hath some power, and is bound to put forth that power to help to remedy those evils so far as he can: if they be evils from God upon us, Plague, Famine, Warr, &c. yet if it lye in his Compass to doe any thing for the good of the Nation, he will and must doe it: then as well if they be evils of sin from a people against God, he is to doe what he can, or else such Fasts are not rightly kept nor can the Magistrate have peace. I never heard of a Magistrate that did otherwise, if right True Ex<sup>ra</sup> was a Priest, he Fasted; but I find not that he Commanded or Called the whole Nation in such a solemn manner; but as he Fasts and Prayes because of a sin, so he put forth power to remedy that sin, *chap. 10. 4. &c.* Why then does it not as well belong to the Civil Magistrate? &c.

Our Author having proved that God hath Committed to the Magistrate the Care of Religion, now shewes us what it is God hath Committed, and for cleareness sake shewes first what

what he hath *not* Committed. For his *first* and *fourth*, had the supreme power of *England* heretofore observed those rules, *English* ground had not sucked in so much blood as now it hath. For his *second*, as he hath laid it down, there is no doubt of it; something I might move here, but I will bring it in afterwards.

For his *Third*; all men speak not as our Author: I will not inquire what the Papists say to this, I heard enough of their Inquisition when I was in *Spain*, to know the Romish judgement: I find our own Divines affirming that the Magistrate may Compel men to embrace the true Faith, and Religion. *Altingus*, *Perkins*, *Bucanus*, &c. they are many that are of this judgement, and quote *Luke 14. 23. Compel*, &c. but this sure will never prove it. *Jansenius* a Popish Author, opening the text, comes at last to the Magistrate, with prisons, death, &c. to compel, but yet acknowledgeth that since the parable speaks of those who were without the Church, therefore, Church Excommunications, and Magistrates compulsion is not here [chiefly, no nor at all] meant. *Stella*, another of those Authors, opens the text without mentioning any thing of the Magistrate; he shews two waies how God Compels men, and that is excellent compulsion indeed.

Deum posse ob-  
jectum libertati  
ita proponere  
non negamus  
sed actum vo-  
luntatis tunc  
esse liberum ne-  
gamus.

Rhet. Apol. p.  
10. 11.

Vol. 2. p. 412.

Loc. Com. 10. 2.  
166.

1. Ostendendo voluntati nostrae tantum bonum, ut non possit non appetere illud. 2. Removendo & abscondendo omne malum, & cum obiectum voluntatis sit bonum, tantum bonum potest voluntati representare, ut non possit non amare illud quod videt bonum, &c. who would not be thus compelled?

But for our Divines, I see when they come to answer the arguments that are brought against this position, they say no more in effect then our Author hath said. Means must be used, *i. e.* compel them to come to our Assemblies, to hear the Word, and to learne the grounds of our Religion. So Mr. *Perkins*, *Dominari fidei, est praescribere quid sit credendum: cogere autem non est adigere mentem ad fidem ejusque assensum, sed cogere loco motivam, ut audiat veram doctrinam, caveat blasphemias, & scandala. Sic Alting.* To the same purpose speaks *Buchanus*; *Non potest cogere mentem sed loco*



*loco motivam, ut audiat veram doctrinam, & media quibus excitatur fides, &c.* This is no more then our Author affirms.

Loc. Com.  
p. 865.

Objection. *The Magistrate may compel in matters of Honesty, why not as well in matters of Faith and Religion.*

Answer. First, He may and ought to compel to the means whereby faith is bred.

Secondly, The Duties of the second table being the sinews of Commonwealths, are more manifest to natures light then those of the first; to be sure much more then those things which we believe and know onely by Divine revelation.

Thirdly, The Magistrate punisheth the breaches of the second Table, and forceth men that they shall not doe so or so; men shall not steal, commit Adultery, &c. now those vertues and vices being immediately contrary, he who is not, or doth not the vice, he appears to have the vertue. Thus far the Magistrate as our Author, and so our Divines grant, compels men they shall not blaspheme, they shall not vent nor spread their heresies; but to force them to believe a Truth is another thing.

His fifth head hath more difficulty in it, the *Indulgence* and *Toleration* which the Magistrate must give. When he saith *Christ will have his Saints exercise the same one towards another*, I suppose he means Christ would have his Saints to love each other, and not have Unity broken, but Communion afforded, [as he hath expressed his mind in his *Sermon for the Unity of the saints*, &c.] though there be weaknesses in judgement and conversation; and if saints must doe so, then the Magistrate must indulge and tolerate such also.

First, It is certain there are and may be such weaknesses both in judgement and practise in people, to whom love and communion ought to be continued, unless we will have none to be saints, but those who have the infallible spirit, and perfection of grace, according to the *Quakers dreams*. Those who are strong have that duty laid upon them to bear the infirmities of the weak: but gladly would I read that book where it were cleared how far I must go in affording Communion to men weak in judgement and conversation: to say these weaknesses I must tolerate, Christ will have me exercise indulgence thus far, and no further. Some errors in practise we must bear, why



not then some errors in judgement? the *Head* is imperfect as well as the *Heart*. Yet we find it a harder matter to keep unities when men differ in judgement. Whither,

First, Because we are sensible of weaknesses in our own conversations, we are passionate, &c. Well then may I bear with others who are so; but for our judgements we conceive we are right.

Secondly, Men doe not use to defend themselves in such weaknesses, but doe more pray against them, and they are their burden if saints; but they will defend their errors.

Thirdly, For errors in practise. Saints do value the grace which is contrary to their corruption, and those men who have attained beyond them, they *Commend*. But in errors of judgement, men set high prices on their errors, and *Condemn* all those who are contrary to their judgements. More causes I could give, but we find it hard to bear.

Secondly, As the Saints must bear, so no doubt there are such weaknesses which the Magistrate ought to Tolerate. But whether the Magistrate *must* or *will* tolerate, what ever a Church *must*, I question very much. I know our Author had large principles this way, and I doubt not but he took them up from the love he bare to Christs Image, which might be where yet were too many errors. If the error were not in the Fundamental points [alas that some body would once tell us what those are, for I took those to be Fundamental, which our times now deny] I know he would bear much. But suppose then Churches be overspread with this error, that Christians must not *swear* though lawfully called, and matters of great moment depend upon an Oath? Suppose men deny *War* [upon never so just grounds] to be lawful: Suppose, deny *All Magistracy*, [as we know the old Anabaptists did all these, and how many amongst us now] with divers more such things, which will not I suppose come under the Fundamentals: I say these errors spread abundantly, what *will* or what *must* the Magistrate doe, indulge all these? What shall become of the Nation, and Courts of Judgement? Somethings we may gather from our Author which the Magistrate must not Tolerate.

First, Not Idolatry, superstition, &c.

Secondly

Secondly, Not Heresie, this can claim no more Toleration then other works of the flesh, *Gal. 5.* But if the braines of Christians had been as much troubled when the Apostles writ to them about *heresies* as ours are now, they had need have writ again to the Apostles to explain what they meant by *heresies*, for they could not tell.

Thirdly, Not the contemnners of the Ordinances of Christ. For he hath laid it down as one of the things that God hath committed to the Magistrate, *to take care that all the Lords Institutions be executed*: also that he *must command and order the people to come and attend upon the Ministry of the Word.* But if the Magistrate Tolerate those who cast off the Institutions of Christ, to what purpose doth he take care to see them executed? How can it be his duty to doe this, and yet his duty to Tolerate those who throw them off? More I could gather: but let me speak a few words about *Toleration*: It is true what Learned Mr. Norton saith, *to Tolerate all things, and tolerate nothing, are both intolerable.* Acts of Toleration are but *Mercurial Medicines* to recover a sick state, but if the preparations of such Medicines be not exquisite, *Mercurius vita* [as the Chymists call it] proves often *Mercurius mortis.* States had need look about them what they doe when they make Acts for Toleration in matters of religion, unless they think they must give no account for such Acts.

Ep. to the  
Court in N. E.

First, Toleration, is, *Malorum* of things that are evil, they are so reputed in the judgement of those who doe tolerate: we do not tolerate *good*, but *evil* things. True, Toleration doth not infer *approbation* [though most will think so] yet being they are *evil*, he that is *Minister of Good*, must needs desire to tolerate as few of them as may be: there will be evils, errors, in the Churches doe he and the Churches what they can, but when there is an Act of Toleration for them, who takes care to heale them?

Secondly, When States will make Acts for Toleration in matters of Religion, they had need have another Act go first, *i. e.* to declare *what they will NOT Tolerate*: they had need make good fences about the Vitals of Religion, or else we shall have errors arise that will threaten them also: have we not experience of it now?

Thirdly, Rules for Toleration must not be taken from *Persons that appear to be godly*; that is, *because such persons are looked upon as godly, therefore what Opinions they hold shall be tolerated.* Because David a godly man falls into adultery, therefore tolerate that sin? May not a man that is godly [at least seems to be so,] fall into such an error of judgement, as neither Church nor State must tolerate? I know no such warrant to secure us, but when professors grow wanton God may leave them to such errors in judgement, as he hath left to errors in practise. Also may not godly men be true and blamable causes of great *Schisme*? but yet because godly, they must not be indulged.

Fourthly, If because Arguments can be brought to prove an Opinion, therefore such an Opinion must be tolerated, then what Heresie must not be tolerated? If a man will listen to his own Atheistical heart and carnal reason, there are those who could bring arguments very strong against the Scriptures, Christs Divinity, his satisfaction, such things as we call Fundamentals, (if there be any); I doubt not but there may be stronger arguments brought against these, then there are for some things wherein men cry for Indulgence, though they break the peace of the Churches, and have brought us into this Confusion. But if therefore those Heresies should be tolerated, then let Churches and Religion go whither they will.

Fifthly, Such Doctrines and practises as the Churches of Christ since the Apostles daies have constantly condemned; Churches, where soundness of doctrine, and holiness in conversation have met together, having also libertie to search the mind of God, and to reform: what these have constantly condemned, I humbly conceive, that a State had need be cautious in making Acts to Tolerate such doctrines and practises: and I am sure there are too many such now Tolerated.

Sixthly, It had been much better for the Churches, to have yielded each to other so far as they might, and studied an *Accommodation*, rather then put the Civil power to make an Act for Toleration, which wanton spirits look at but as an *Invitation*, to vent their own frothy and erroneous conceptions, being they have a law to back them. I am not to this day satisfied, what  
sufficient

sufficient reasons can be given, why the Congregational and Classical brethren might not have joyned together, and strengthened each other, but that through their division the Nation should be as it is at this day. If the letting of a godly Minister enjoy his own people, without taking them from him, would have healed the breach, what an easie Medicine had this been for so great a wound?

The text which our Author hath pitched upon saith, *in All Godliness*. A good Magistrate will look that this people may live in *All Honesty*: One part will not serve the turn, and if he could cause them to live in *All godliness* also, it would be well for that people.

Seventhly, To displease Thousands of godly and sound Christians, for the sake of pleasing a few Christians in doctrines and practises corrupt, I conceive is no *safe policie*: whose spirits have shown themselves more Turbulent, then those for whom Toleration hath been pleaded?

We have now had experience what it is to live under *Episcopal Persecutions*, and an *Armies Toleration*, which of these two have proved the most destructive to the power of godliness I need not say. This onely I would say, [and that not without some sense of grief on my spirit] it is sad that those who lay claim to *New-England* principles, should so Act their part that men should now say, and our posterity hereafter believe it, *That Independency ruined the Church of England*.

Then our Author, comes to his *Positive* rules; and his second general rule is, *that the Magistrate takes care that all the Lords Institutions be observed*.

The word in the Original which we translate *godliness*, signifieth firstly, the *worship* of God. A godly man *'Eusebe*, a good worshipper, *qui probè colit & veneratur Deum*: Godly Kings did shew their godliness in this point very much, putting down false worship, and setting up the true worship of God: while the Ordinances of God are maintained as they ought to be; God is known in the world: and much godliness is shown in a due worshipping of God.

If we look back to the beginnings of our troubles, and recall what it was the Professors of *England* would have had, let them

*'Eusebia  
probum Dei  
cultum.  
ὁσιότητα  
veneror, colo.*

speak : when you were fain to get into houses privately to keep  
 Fasts together, afraid that any should see you, lest the Bishops  
 should know it, why did you Fast, why did you utter such sad  
 Complaints to God, why did your tears drop so, what was your  
 burden ? Oh this Hierarchie, did so Tyrannize over Gods  
 faithful Ministers, suspending, imprisoning, &c. they did so  
 mix their humane Inventions with Gods Institutions, that we  
 could not have the worship of God according to the pattern,  
 but must wound our consciences if partake of the Ordinances;  
 what do you desire of God ? why, that he would root up these  
 persecuting Bishops, and all the rabble that belongs to them, that  
 we may have none but Christs own Officers, & Ordinances pure  
 without this mixture, no *Railets*, *Surplice*, *Crosse*, &c. this was  
 the business why men thus prayed, and fasted ; and for these  
 things the old solid Puritan prayed many yeers since, though  
 died before these times ; well, what those deceased Christians  
 prayed for, and these living, God hath given this generation,  
 Surely now those Ordinances and Officers shall be highly prized,  
 &c. But what are more despised ? the Officers are but *Anti-  
 christian-Blackcoats* ; any gifted brother is as good as these  
 Priests ; and for the Ordinances, *Church-Discipline*, *singing of  
 Psalms*, *Infant-Baptisme*, these are none of Christs Institutions;  
 and for elder persons *water-baptisme*, is a needless thing if have  
 the inward ; so the *Supper*, if have the thing signified, &c. that  
 thus all are thrown off: would any man have believed such hor-  
 rid Apostasie should ever have been heard of, principally from  
 those things, where their Prayers, Fasts, and tears, together  
 with the old Christians went so strongly ? What, in these points  
 Apostatize ? what do these things preface ?

All Christs Institutions faith our Author, the Magistrate must  
 take care for. So indeed said the *Persian Emperour*, *Ezra 7. 23.*  
*whatsoever is Commanded by the God of Heaven, let it be diligently  
 done*, &c. But it seems the Lord hath No Institutions now,  
 they are all disputed out. *Church-Discipline*, hath gone unques-  
 tionably for an Institution of Christ grounded on good Scrip-  
 ture, till *Erastus* had a mind to quarrel with it, but it seems  
 God did befool the man, that whilst he falls out with the Or-  
 dinance, his pen must write down seven sorts of persons, which  
 ought

ought not to be esteemed as members of the Church, and if there be any such, they ought to be cast out. And Mr. Prynn after his great stir, yet acknowledgeth, that 1 Cor. 5. ult. pro-  
veth Excommunication,\* yea and more texts besides that.

\* Mr. Prynn, in his Vindication

of four serious Questions, pag. 57. [to which book, and his Suspension suspended, he often refers his Reader in his late book, called a Legal Resolution of two important Queries, &c. tending to the casting out of many hundreds of godly Presbyterians, as well as others; but he never refers his Reader to Mr. Gillespies Aarens rod, &c. nor ever undertooke an answer to him, that I can learn] dissuades from that strong desire many Ministers have expressed to have Church Discipline erected, and defended by the Magistrate, upon this ground, because the *practical power* of godliness is generally more evidently visible in our English Congregations, where there hath been powerful preaching without the practise of excommunication or suspension from the Sacrament, then in the Reformed Churches of France, Germany, Denmark, or Scotland. Therefore the best way to reform us, is, for Ministers not to draw out the sword of excommunication which will doe little good: but the sword of the spirit, the powerful preaching of Gods word, and the sword of the Civil Magistrate, which are onely able to effect this work.

But First, The question is, whether Church Discipline be an Institution of Christ or not; if it be, as Mr. Prynn himself cannot deny, then the Ministers may well seek for it: and whence had Learned Mr. Prynn that Divinity to say an Institution of Christ will doe little good.

Secondly, It is true, powerful preaching the Lord hath blessed in England, but yet I know those powerful and converting preachers did suspend scandalous persons from the Lords Supper. I believe they had fewer unworthy persons at that Ordinance, then any of the Churches he mentions; neither did they depend upon Mr. Prynnes Chaire to know what make men scandalous, however. he is pleased to call the Ministers, *Greivish, ignorant, wilful, &c.*

Thirdly, If Church-Discipline be joyned with powerful preaching, I hope one Ordinance will not hinder another.

Fourthly, I grant that Male-administration, and the ignorance of people how to carry themselves towards excommunicated persons, may hinder the efficacy of the Ordinance; but let these be avoided, and the Ordinance is fitted to do good. There have been such who have been excommunicated, who have blessed God that ever they knew the Ordinance; and more experiences I could tell concerning this Ordinance, what effects it hath wrought in the hearts of people.

Fifthly, No more can be expected from this Ordinance then from others; God doth not blesse other Ordinances to the good of All those who come under them.

Sixthly, Why doth Mr. Prynn add which are onely able to effect this work? if these two Swords be onely able to doe the work; then the Sacraments are not Converting Ordinances, nor will the giving the Lords Supper to All advance our Reformation for which he so much contends.

If God speaks, Nature will teach, it is now the Creatures duty to hear: Nature also teaches it is my duty to pray to my Creator. But that water in one Ordinance, Bread and Wine in another Ordinance should signifie, seal, be Instruments to convey such things as they doe, Nature is silent here; whence I must say with the Assembly of Divines, The Believer is the subject of these last; and it will not hold true that an excommunicated person must be debarred from All Ordinances, as saith Mr. Prynn. *Hearing of the Word preached, and Prayer, belong to Natural worship, but the Sacraments to Instituted worship.*



That which was once a Church-ordinance, remained ever so, unless God himself removed it; but where men will prove the Translation of this Ordinance from the Church to the Civil Bench in case the Magistrate prove Christian, I cannot tell. One of our Magistrates did attempt to prove such a thing once to me by way of argument; because *there is no thing which falls under the Churches Cognizance as being an object for Church-Discipline, but falls under the Magistrates also.*

But I thought Christian Magistrates would first have brought a word of Scripture from Christs mouth to have proved the removing of an Institution, but I heard none: Then surely there is no great fear of the loss of the Ordinance, if it must be lost by Scripture.

2. To the argument I answer, by denying the consequence, that though the same things do fall under the Magistrates cognizance that do under the Churches, yet it doth not prove that Church-discipline is removed, &c.

1. I doubt not but in the Primitive Churches there might fall out such sins that the Heathens Courts might take hold of, [for there was government then among the Heathen in matters of Honesty, wherein yet some Church-members might be tardy] but that did not take off the Churches discipline.

2ly. But the end is very different: The Church in her discipline makes *Repentance* her end; if the Delinquent be brought to that, the Church desires no more, nor can require no more. But doth the Magistrate require no more? is *Repentance* his end he directly and firstly aymes at? I think not; but he aimeth at the satisfaction of a Law made against such offenders, to be a terror to others.

3ly. If persons come not to *Repentance*, the Church doth not proceed by *Mutes, Death, Prison, Bridewell, &c.* which the Magistrate doth, yea though the person repents. If *Repentance* would save from death, abundance should not dye by the Magistrate. The Church labours to bring to repentance [which the Magistrate *quâ sic* doth not, as not being his business] and if not, proceeds to Excommunication, the person cast out of the visible Kingdome of Christ, and now reckoned in Satans Kingdome: This the Magistrate doth not, nor can doe.

Calvin in 7  
Anno. 13. com-  
plains, that  
the Princes in  
Germany, & so  
in the Coun-  
tries about  
him were  
grown so spi-  
ritual, that  
they would  
be chief Jud-  
ges in matter  
of doctrine, &  
null Church-  
discipline.  
He calls it  
Sacredge.



doe. *Obstinacy* in a sin and offence, is that the Church looks at, as much and [most what] more then the sin it selfe; but so doth not the Magistrate; for it is the act, the Law broken, not obstinacy, [which is but an Adjunct to the Act] which the Law punisheth.

4ly. The Magistrate deals not with the offender, by applying the Law of God to him *immediately*, but such a Law made in such or such a Kings time, or such an Act of Parliament, &c. but the Church meddles with no such things, but applies the word and law of God only to the offender.

5ly. The Church have a rule to proceed by degrees; if offences be private, to take one or two, goe and deale, &c. if can attain the end, *Repentance*, go not to the Church: But this doth not belong to Magistrates Courts.

6ly. The Church upon repentance receives a man into fellowship, *2 Cor. 2.* the members confirm their love, &c. Doth the Magistrate thus?

3. Again I answer, by denying the *Antecedent*, namely, that *nothing falls under the Churches Cognizance, but comes under the Magistrates also.* There is nothing comes under the Magistrates Cognizance, but that the State hath made a law against: but I have not known of any laws made against *lying, filthy speeches, Totall neglect of religious worship in families, wicked carriages of children to parents*, with many more which might be mentioned, as *Covetousness*, when evident notes of that sin reigning have appeared [which because Mr. *Prynne* scoffs at the Churches for, I could name to him a person that was cast out of a Church; and that was one of the chief causes, his covetousness, as the members told me.] Now the Magistrate meddles not with these, but I think no Church that is as it ought to be, but will call persons guilty of these, to account; and proceed, upon obstinacy.

This Ordinance then stands as an Institution of Christ, and surely the Magistrate is to look that this be observed; and if a christian Magistrate would doe service to Christ his Church at such a time as this is, next to the bridling of the rage of furious, irrational, erroneous, blasphemous men, this would be a worthy work, to stablish this Ordinance and that great Ordinance

nance of Catechizing, for want of which we see the wofull Condition our Churches are fallen into.

*Obj. The Magistrate gives you leave to doe these, why do not the Churches do them? what need of him? The Churches have done these when the Magistrate was a Heathen.*

*Ans.* In those times when Christian, Jew, and Heathen, divided the whole world, then the Churches could do more then now we can: the Churches then would admit none to baptism [if adult] but first they were well Catechized: we have such, as [set by the name *Christian*,] are as ignorant as Heathens, and take themselves to be Church members, but scorn to be Catechized.

2. There is difference to be put between times, when the Ordinances and Worship of Christ were had in high esteem, and feared, according to their worth: and these times when wanton corrupt men and Apostates, have learned to despise the Ordinances of Christ, and grown fearless; our Apostates will jeer at that which then the Churches feared: Cast them out of a Church, they can sin a knot of corrupt Sectaries to receive them, and hold Communion with them, and what care they for Excommunication? [we see they can despise all ordinances] But it was not thus in the Primitive Churches.

3. Surely a bare *permission* is not sufficient to discharge the Magistrate, that he suffers the Ordinances to be set up; our Author saith he must *take care*, &c. which is more then a permission. The Persian Emperour did more then permit.

Fourthly, It is true the Churches did observe these Ordinances, when the Magistrate was a Heathen, but then he did not his duty: shall the Church and Ordinances have no advantage by a Magistrate being Christian?

*Obj. But what shall the Magistrate doe, when there are such disputes about Church-Government? one saith it is Episcopal, another Presbyterial; another Congregational; and the Magistrate cannot be satisfied himself which it is; how then shall he take care that this or that be set up?*

*Ans.* Is the Magistrate indeed unsatisfied that he knows not which it is? I doubt it.

For the *Episcopal* government, I suppose there needs no words.

words about that, the Magistracy hath sufficiently declared against that.

The Bishops before allowed the Ministers power to suspend from the Lords Supper, which is *Excommunicatio minor* in the esteem of many. That the Bishop would Monopolize the power of Excommunication, as if Presbyters might not doe such an Act, is more then any Bishop dare undertake to prove. *Hierom* *Epist. ad Rufig.* could tell us in his time, when Corruptions had overgrown the Church, *Excepting Ordination what doth a Bishop that a Presbyter doth not?* It seems then Presbyters did excommunicate. I thought to have added something more; but reading of *Anselm* the Archbishop of *Canterbury* upon the first Chap. of *Titus*, he giveth such strong grounds to convince me that such Bishops were never of Divine Institution, that I trouble my selfe no further.

For the other two, if any suppose the *Congregational* Government not to be *Presbyterial*, they mistake. It should be so I am sure, or else there must be no government at all: to find government, where there are not *Governors* and *governed*, will be very hard: but who are *governed*, if the people be *Governors*? Let learned Mr. Norton, one of the strongest *Congregational* Divines be heard; he speaks to the purpose: *I appeal to any competently judicious and sober-minded man, if the denial of Rule in the Presbytery, of a decisive voice in the Synod, and of the power of the Magistrate in matters of Religion, doth not in this point translate the Papal power unto the Brotherhood of every Congregation? thou that abhorrest Episcopacy, dost thou commit Popery? Alas, alas, is there no medium between Boniface and Morellius, between Papacy and Anarchy? if there be a mystery of iniquity in the one, is there not an universality of iniquity in the other? The Historians indignation that the East was overcome by a drunken Commander with a drunken Army, is now become a matter of astonishment, when so drunken a Tenet, in an Age of such learning, piety, action, suffering, and success, should threaten the hopes of so glorious a reformation, come unto the very birth. By this you may see the judgement of this solid Divine and his fears; and what sober man doth not fear the like?* *Epist. to the Gen. Court. in N. E.*

The businesse then is not whether the government be *Presby-*

terial, we all agree in that: but whether *Classical*, &c. That which troubleth us here, is, that the Churches mentioned in the Scripture were in Cities and populous places, where there were many Elders, and so there is no question about them: but how they carried on their government in small Villages [we read not of any in such places to my remembrance] such as ours are, we have no example.

Yet let us see how much we differ as now we stand: the *Congregational* Divines, though they deny a Pastour to have *Authoritative* power over any Church but his own, yet in matters of weight, and so in Excommunication they judge that a *Council* of Elders ought to be called, which they look upon as an Ordinance of God: thus in *N. E.* one Church going about to excommunicate a person, a neighbour-Minister sent word, he conceived the Church ought not to doe it; some of the Church came to him to know his reasons; he bad them call a Council, and in the Council he would give his reasons, but not else; the Church would not hearken to him, but cast the person out. This bred division. Thus most of the miscarriages have come from this, when people have been head-strong, and would not call Councils. But now there the most learned, wise, and solid Divines doe call for Councils in all weighty acts. I see here amongst us, our Congregational Brethren doe the like. The case is judged and determined by the *Council*, but it is executed by the Officer of the Congregation. Let us keep close to this, and many miscarriages will be prevented.

Come to the *Classical* government, though these Divines suppose they have Authoritative power over other Churches; yet this I suppose, look where the fact is committed, there the case is to be heard. This was the old practice: when the *Classis* have determined what ought to be done [as suppose a person is to be excommunicated] yet if the *Classis* allow that the officer or officers of the Church where the fact is committed shall execute the sentence with the consent of the Church; then though there be difference in our judgements, yet none appears in our practices.

If we ask further concerning the power of *Synods*, what they may doe to Heretical Congregations? The Congregational

men

men say, *A Synod is a solemn Ordinance of Christ, that the Synod doth admonish men or Churches in the name of Christ authoritatively, as there shall be cause; the Synod declares men or Churches to be subverters of the faith, or otherwise according to the nature of the offence to shame them before all the Churches; in the name of Christ refuse communion with them; also declare in the name of Christ that these erring people or Churches, are not to be received into fellowship with any the Churches of Christ, nor to have communion one with another in the Ordinances of Christ: And thus they practice, keeping such from Communion: what is this but excommunication in effect? The Classcal adde one step more, a formal, and juridical delivering such to Satan; but that produceth no more effects. Look into the Congregational Churches, you see the same and as many effects, as in the Classcal; upon their formal delivering, &c. Here is but a poor difference, no man can see any difference; whence I wonder that there is such complaints against the Ministers for differing about Forms.*

Burro. Iren.  
c. 7.

For other power of Synods, see Mr. Cotton, *Keys*, &c. p. 25, 53, 54. Our Divines in their Preface to his Book, say, *they have a Ministerial power and Authority, to determine, declare, and enjoin such things, as may tend to reduce such Congregations to right order and peace.*

The summe is this, the Congregational men goe so far, that men who have any conscience will fear to oppose and crosse them; and for those who have no conscience, they will little regard the Synods *formal delivering to Satan*; but then we hope the Magistrate will not tolerate such as have no conscience, nor suffer such heretical persons to vent their Heresies when the Synod hath proceeded to Excommunication, or Non-communion, [our Author saith he must not doe so] Then he helps both, the Classcal and Congregational Churches.

Yet a few more words to see if I can make things plain.

1. Every Pastour of a Church hath the power of government, he is a Ruler in the Church, he depends on no man for this, he hath it from Christ immediately annexed to his office inseparably. As soon deny a Magistrate to have power of ruling in a Commonwealth, as a pastor in the Church:

πρωτοδικος  
'ηγεμενος  
&c.

The title implies as much, with divers others in Scripture. They are Ministers; true, so is the Magistrate, *Rom. 13. 4. Minister of God.* And these are called *Ministers of God, 2 Cor. 6. 4. and of Christ, chap. 11. 23.* Their being Ministers, deny not their ruling power.

2ly. All persons who profess themselves to be Christians, and Church-members, are to be subject to these in the Lord. This is necessarily inferred from the former; even as truly as the members of a Commonwealth are subject to the civil Ruler. I do not say that the Pastors rule, as doe the civil Magistrate, if you respect the *modus*, but rule they doe.

3ly. Though every Pastor hath the power, yet some Pastors question whether they alone may put forth this power [especially in the highest acts] with the consent of the Church-members, but rather think it must be as they are united with more Pastors in a Classis. Others conceive they can with the consent of the members without any such conjunction; yet that they might act more safely from error, when they do apply the power, and that the Church might be kept from division, when the Church shall hear the counsel and judgement of many other Pastours, going along with their own Pastour, and to make the Ordinance more solemn, these call in a Council of Elders.

4ly. According to the judgement of these Pastours, so are the members of the Churches perswaded, over whom they watch and have the care in the Lord.

Now let us see what should hinder the Magistrate from assisting the Church in executing of this Ordinance of Christ.

1. Not his questioning of the subject of this power, for that is clear enough; if I be a Pastour, this power I receive from Christ, as before: we doe not ask the Magistrate to put power into our hands, as if we had none, but only to assist in the putting forth of that which is ours before by a Divine Institution; as when the Ministry Preach and Print in defence of the power of the Civil Magistrate, the Ministry doth not give him a power which was not his before, but what God hath given him, the Ministry assist the Magistrates, by stabilishing that power in the consciences of people: so the Ministers



sters desire the Magistrate would assist them, that they may apply, and in applying their power to the corrupt practices of their people.

If he object, *Many of these Ministers are weak, not fit for it.* We could say the same of many Magistrates, they are weak enough. But then suppose this, the Classical Minister hath his Classis which helps him, the Congregational his Council which helps him.

If he saith *the Ministers are nought, many, &c.* Then let him doe his part to remove such: To which end, if Church-government were settled there would be a means serving better then now there is.

Secondly, Neither need he be troubled at the difference between these two; for the difference is so small we see, that there are no different effects appear: he who is cast out of one Church is cast out of all, at least till the case be heard there is no Communion: so it was in the old time though a person were Excommunicated wrongfully. \* Besides he assists the Ministers where the power lieth without question, [with the consent of the people] he doth not consider them as Classical or Congregational, but as Pastours.

*Concil Sard.  
can. 17.*

Thirdly, Neither need he fear the compelling of the peoples consciences, for that the people ought to be subject in the Lord, there is no mans conscience [unless it be a wretched one] doth question it, if he owne a Pastour: and as for the Classical or Congregational subjection, the people are perswaded before, [upon what grounds I leave] so that if compulsion be, it is but to make people walk according to what in their consciences they think to be right.

But *what shall he do with the Episcopal mans Conscience for he is against both these, shall he compell him?* no, no body shall compel him, let him keep his conscience: suppose I have two or three Episcopal men in my parish, these making every parsh to be a Church, must needs acknowledge themselves to be members of that Church; if I be Minister to that Church I suppose they will acknowledge me to be their Minister; if they come to require the Sacraments of me, then be sure they doe acknowledge me, according to their own principles.

If they own me, I will not aske them whither I have power or no over them; they know it, and I know it; let these walk regularly, there is no body troubles them they enjoy their judgement as to *Episcopacy*, but if they prove Heretical, or scandalous, and will not be reclaimed, I will not trouble my self about their judgements, but be I *Classical* or *Congregational*, will cast them out of the Church; and let them keep their judgements as to *Episcopacy* when *Excommunicated*. The same I would doe with an *Erastian*.

I have enlarged upon this Institution, because there is such want of it, and is so much called for.

For *singing of Psalms*, I have spoken to that in another book, but I think that will ere long be owned again for an Ordinance of God, the *Quakers* proving such Songsters.

For *Infant-Baptism*, the *Congregational* differ not from the *Classical* in this, that the children of such parents as visibly appear to be penitent believers, ought to be baptized: they agree in the rule, but in the application of this rule to persons, there is some difference. Some apply it larger, some more strictly. Because they agree not in this, what is required to a visible believer: it is likely that if Church-government were erected, that they may come neerer, when the *Classical* brethren shall have that power they desire to have to reforme their Churches. Yet since we agree in the *subject* of the Ordinance, and the *rule*, differing onely in the latitude of the application of the rule, one would think here might be a forbearance; I suppose the *Classical* brethren will lay down the same rules for admission to the Lords Supper, yet when they come to apply those rules to particular subjects, some will go larger, some narrower; but what then? will they not bear each with other? so in Church-Discipline.

But there comes in another Company and tells us, that *Infant-baptism* [let the parents be never so godly] is no Institution of Christs.

My intention is not to meddle with the Controversie, divers of our Divines have done it most strongly: This I can say.

First, I am sure it was once a *Divine Institution*, that *Abraham* seed should be reckoned Members of the Church with *Abraham* himself.

Secondly,

Secondly, I am sure it was also a *Divine Institution*, that his seed should have that Ordinance which was a sign and seal of the righteousness of faith.

Thirdly, I am sure that All the Anabaptists who have yet put pen to paper, have not brought one text that proves the repealing of the Institutions.

When God makes a law to debarr his people from eating swines flesh, &c. *Levit. 11. 7.* if that law must be repealed, what care God takes once and twice, *Acts 10. the sheet let down, &c. Rom. 14. 10.* Is God so careful in repealing a law about a Hog, and will he now have all the posterity of *Abraham* cast out of the Church, and reckoned amongst the unclean, without giving us a word as clear for repealing the Institution as he hath done for that law against a Hog? for my part I will never believe it.

I wonder that such an Opinion that hath been constantly condemned by all the Churches, where truth and holiness have flourished since the Apostles times; and an Opinion which hath been accompanied with other Heresies, *Arianisme, Pelagianisme, Socinianisme, &c.* should now be swallowed down so readily amongst some whom otherwise we would esteem to be godly. It being an Opinion that hath been searched into, studied, when Churches have had their liberty; I remember in *N. England* an officer of a Church was arguing with one of his members who was snared in this error, and asked the man what comfort he could have of his babe, if God should take it away in the Infancy, more then *George Sagamore* [an Indian] could have of his? the man [being an honest plain man] answered, yes, he had more then the Indian; *the Covenant of God with him and his seed.* It seems *Abraham's* children are solicitous about their seed, and though some doe in their practise ranck them among the Indians, yet they would fain have something to lay hold upon, as this poor man, and so confuted his practise, for if the seed be in Covenant, then give it the signe and seal.

Though I do not passe that censure upon all these *Anabaptists* which I hear *Mr. Sidrach Simpson* did, yet surely it is an error of more consequence then men doe esteem of, and grounded upon such principles, that will necessarily infer more errors then this. Certainly such had need give strong testimony by

their whole conversation that they are very conscientious men [if they do plead conscience in this] & if they can find so much Toleration as to have Communion with Churches [being indeed conscientious men] to live peaceably in a Nation, upon this condition that they divulge not their errors, it is as much as can fairly be yielded by Churches or State, unlesse all the Scripture grounds which are brought to prove the Interest of *Abrahams* seed in the Church, with the constant practise of all Churches Orthodox and holy since the Apostles times, are of no more worth then to be thrown at mens heels.

So much for our Authors general rule :

First Rule.

For his particular rules. If the first be true [as I am sure it is] then who shall answer for all those ignorant, erroneous, Scripture-abusing [I will not say preachers but] praters that have gone forth into *Wales*, the Northern and other parts of *England*, sowing such seeds of errors, as will not be plucked up in haste, occasioning so many to turn Papists, making the pretended reformation to be so much despised, and the English Ministry to become a scorn. These are far from those qualifications which our Author hath set down, and from the example of *Jehoshaphat*, he did not take up Taylors, Shoemakers, and such kind of fellows, and send them to preach, but Priests and Levites, orderly called to the work, brought up to it: If you say, he sent *Princes* also; This is well answered by Mr. *Rutherford*: but if it were so as some understand, such were in more likelihood fit for the work and more honour to the work, then *Jeroboams* practise was. Do these answer the Apostles description in his Epistles to *Titus* and *Timothy*? now it is, *who is Not sufficient for these things?*

Due right  
Presb. p. 282.

Besides our Author saith, it must be according to Gods Order. But is this the Order of Christ, to send out Ministers without Ordination? these fellows had no election from the people, nor no Ordination: What is all Order thrown down? Ordination hath been looked at as an Institution of Christ, till the *Socinians* and some others objected: but the Orthodox have constantly maintained it, both Episcopal, Classical, and Congregational; and if Scripture authority be worth any thing, no doubt but we can bring good warrant still to prove it. There

is more ground to bring in Bishops to Ordain, then to leave out Ordination.

2. For his second rule : If Schools and Universities be need- Second Rule.  
ful, then our Author must needs condemn those against whom I  
spake before. *Julian* knew what he did, when he forbade the  
children of Christians the use of Schools : the Christians also  
knew what he did, with very sad hearts ; and I know they doe  
but act what *Julian* intended, who ever looks at Schools and U-  
niversities as uselesse, and so are hinderances to them. I have  
heard it reported [though I can scarce believe it] that one of  
the Masters of our Colledges, should in his Sermon declare that  
he thought Universities were good to train up youth to Civili-  
tie, but not to Divinitie. If this should be a true report, I wish  
he would read over *Zanchy* his Oration concerning the necessity To. 7. p. 415.  
of Schools in the Church : and tell us how a man can open the  
Scriptures, without the knowledge of the Original Tongues,  
the three general Arts, and History. Besides other special arts,  
and as for the other Oriental Tongues what helps they are to  
understanding of Scripture, those who are a little versed in  
them know already. But the man might have another end in  
this, to satisfie country Ministers why they have stood sweating  
for many years in the Commencement house, but could never  
hear him either Opponent or Respondent. Those who must  
be so able to Convince others, had need be trained up in the  
way to it. What Cause have the Church to bless God for those  
brave lights which have shined in our Universities ?

3. Our Authors reason is strong to prove the Magistrate  
may cause his people to attend upon the Ministry of the Word,  
onely provided the Ministers be such as in his first he described.  
If this course had been taken it would have prevented much of  
that evil that is now come by separation from the publike Mini-  
stery. As for the objection they make, *they cannot believe these Mi-  
nisters be true Ministers*: neither doth the Magistrate compel them  
to believe so, he compels them to attend upon those which he  
looks at as true, being sound, qualified, orderly sent forth, but  
he troubles not the people with this, that they must believe the  
standing [as they call it] of the Ministers to be right, let them  
attend to the Doctrine.

Third Rule.

Obj. But they are unsound.

Ans. 1. So will the Heretick say of the soundest Minister that is. 2. It lieth upon the Magistrate to look to that. 3. If you can prove their doctrine to be unsound, you have libertie to reject their doctrine: what the evill is for want of the Magistrates performing this part of his duty, England knowes at this day.

Why by the same rule the Magistrate may not compel the people to be Catechized I know not: to be sure Catechizing was an Ordinance great in use in the primitive times, and woeful experience hath taught us, how people may set under good preaching forty yeers, and yet for want of Catechizing, be more ignorant then many children are. The Churches of England cry aloud to the Magistrate, that if he will doe any thing for them, then strengthen the hands of the Ministers who would set up Catechizing, and Discipline.

Fourth Rule.  
Loc. Com. de.  
mag. p. 618.

4. If the Magistrate may engage the people by Oaths, and Covenants, as saith our Author, [to whom also Gerbard inclines.] Then here would arise a question, whether the Magistrate have not more power over these in case they Apostatize from what they have Covenanted then over others who have not so Covenanted?

I shall desire to add but two things more to what our Author hath set down, which I conceive also the Magistrate is concerned in.

First, The calling of Synods. In the primitive times they used to have Synods twice in a year. \* That the Christian Magistrate did use to call them also [when the Church came to have such Magistrates] is well known; the story of Constantinus surnamed Pogonatus \* when the Monothelites troubled the Church, is worth the reading: the Centurists in their preface to the seventh Century have set it down: how he called the Synod, and carried himself in the Synod; a pattern indeed for all Christian Magistrates. The reading of the story put me in mind of our Magistrates in N. England, when the first Synod there was Called, who carried themselves according to that Prince.

1. Synods are a solemn Ordinance of Christ for the helping the Church against errors, schisms, scandals, saith Mr. Burroughs Iren. p. 43. 44. Mr. Cotton \* hath spoken sufficiently for them.

The

\* Can. Apoc. 38.  
Concil. Antio.  
Can. 20.  
\* Why so called, see Forbes.  
inſt. Hist. theol.  
p. 223.

\* Keys, cap. 6.



The Synod of N. E. *an.* 1649. call Synods assembled and proceeding according to the pattern, *Añ.* 15. an Ordinance of Christ. And in the third section of the same *chap.* say, the Magistrate hath power to call a Synod; the Classical Divines be sure differ not: now if it be an Ordinance so much concerning the well-being of the Church, then the Magistrate must look to such an Ordinance.

*Plat. chu. di  
c. 16.*

2. Synods are necessary in regard of the Magistrate himself: for as our Author saith, the *Magistrates Conscience is not the rule, but he must looke to have his Conscience rightly informed from the word*, then what more likely way for the Magistrate to have his conscience informed in things concerning the Church which he must look to, then to have a company of holy & learned men gathered together in the name of Christ, debating of matters which concern the Church; the Magistrate being present as to keep civil order, so also to propound what may trouble him, that so he may be informed.

*Q. But what shall the Magistrate do? give himself up to the Synod?* our Author saith *he must not give himself up to the Dictates of men.*

*Ans.* First, No more he doth, for while he heareth the debates, the reasons given on both sides, propounds his own scruples, he doth not give himself up to the dictates of men.

Secondly, Mr. Cotton saith, and that truly, that the Synod binds not onely *materially*, but also *formally*, from the Authority of the Synod; which being an Ordinance of Christ bindeth the more for the Synods sake. If there be no respect due to Synods to what purpose are they called?

*Key. c. 6. p. 25*

If a Synod may pronounce a Church to be Heretical, renounce Communion with a Church, and declare such a Church ought not to have Communion with any Church [which is in effect excommunication] as our Congregational men say: then certainly Synods have Authority from Christ, and a Magistrate that is godly will not lightly esteem their Determinations.

2ly, The Second thing which I conceive the Magistrate is to look to, is, to prevent *Schisme* what may be, and to heal it where it is. *Schisme* never riseth but from bad causes, and the effect as bad. Were it but in respect to civil Policie, the Magistrate had need take care of this, for where *Schisme* is, there

Unitie is broken, and that people will not live *peaceably*, which our Authors text mentions. *Rents in the Church will cause rents in the State, if opportunity be given*, experience hath proved it: But if we look to the Church, there the Magistrate if he takes himself to be a Minister for the good of it, shall find cause enough why he should step in here.

22. 1 edit.

Our Author in his Sermon about *Unitie*, &c. tending to heal our rents; saith truly, *that the sin of schisme according to the sense of the Scripture is a most heinous sin, though many make no account of it, whether they be charged justly or unjustly with it.* He opens the evill of it both in the nature and effects of it. Now however our Author doth show he hath larger principles then many other men have, yet let the professors of *England* be tryed by his rules, and then see who be the *Schismatics*. I never yet heard that any godly *classical* Divine hath so much as debarred an Anabaptist [who was otherwise godly, and desired forbearance] from any Communion in the Lords Supper, or other Ordinances, but to be sure the Anabaptists, the Separatists, &c. have denied Communion with them and cast them off with higheft scorn: where errors are not in the fundamentals and persons be otherwise unblameable there we ought to hold Communion. Be it so, let us yield it for the present: is *Ordination by Bishops* an error in the foundation, is the owning of *Abrahams* seed as members of the Church and baptizing them being yet Infants, an error in the foundation? so I may number more. Let all the Separatists and Anabaptists with other Sectaries whatever in *England* charge the *Classical* Churches with an error in the foundation. If they cannot, why do they cast off Communion with them?

It is commonly said to us, *though we differ in judgement let us not differ in affection.* Well, be it so, but this generation differ not onely in judgement, but affection, which they manifest openly in throwing off Communion with all but their own sect, and yet they call to us we must not differ in affection, though they doe; for *Schisme* is properly against *Christian love*; but to be sure they are the *Schismatics* by our Authors rules. The meaning is this, *though we differ in judgement from you, and break our Union with you manifesting it openly by casting off Communion*  
with

with you, yet you must be united to us. Though we call you Priests, Black-coats, Antichristians, and so your Churches, yet you must not differ in affection. Though Churches can tolerate some errors in persons when they carry themselves otherwise humbly and conscienciously, and not divulge them nor labour to draw away others, yet this schismatical spirit in such a high way also, is intolerable.

As for that question, *What way simple error or heresie should be punished?* This our Author [and that truly] calls a hard question: yet the difficulty lieth not so much in this, whether the Magistrate may inflict any punishment but capital punishment?

As for the Papists, we need not ask their judgements: their Books, their practises, *Smithfield* and many other places in England, where our glorious Martyrs have suffered, declare sufficiently what their judgement is. For the Calvinists, *Gerhard* a learned Lutheran gives them a nip as if they varied their judgements, according to the variety of conditions they were under. *Calvinianos quod attinet, ille pro rerum ac fortune diversitate, diversas proferunt sententias.* If things go ill on their side, if they be under the popish power, then they use these rules; *No man must be compelled to believe: It is Antichristian tyranny to rule over mens consciences, &c.* But if things go well on their side, that they have the civil power with them, *erumpunt in sanguinariam illam vocem, Hereticos esse occidendos.* Yet *Gerhard* was not of that mind, that the Magistrate should let Hereticks alone, he was far from this opinion:

Loc. Com. de  
mag. pol. p. 775.

He distinguisheth between *Seducers* and the *Seduced*, [to do we] between errors *fundamental*, and not *fundamental*; I wish he had let these down that we might know them.

P. 744.

But though he hath not done it here, I find amongst other *Lutherans* where he is quoted, that he takes some doctrines for fundamental errors, which others will not believe to be errors at all; thus *Calovius* in his answer to that question *Nunum Lutherani cum Reformatis & Socinianis in unam coire possint ecclesiam?* he excludes not only the *Anabaptists* and other *Sectaries*, but even the *Calvinists*, giving his reasons, though he doth us wrong in some of those doctrines he names, especially as he laies them down.

Socinif. profig.  
p. 942.

He

"He distinguisheth between the times of the Old Testament and the N. T. Under the old T. the Magistrate might put Hereticks to death, not under the N. T. saith he : but I believe he will get nothing by this distinction.

He distinguisheth between simple Hereticks, and Hereticks that are Seditious and Vomit out plain blasphemies against God. These he denies not but the Magistrate must put to death. With whom agrees Dr. Ames, grounding his sentence upon *Levit. 24. 15, 16.* Also Mr. Cotton\* : *If the Idolater or Heretick grow obstinate, wax worse and worse, deceiving himself and others to the destroying, corrupting, and disturbing of others, now the Magistrate maketh use not of stocks and whips [for these do not remove, but exasperate the malady] but of Death or Banishment, &c.*

That speech of the Heathen King *Antaxerxes Ezra 7. 26.* seems to look this way, *And whosoever will not doe the Law of thy God, and the Law of the King [which law, I conceive, was this law of his concerning the House and worship of God] Let judgement be executed speedily upon him, whether it be unto Death, or to Banishment, or to Confiscation of goods, or to imprisonment.* Also *Nebuchadnezzars Decree Dan. 3. 29.* Though the *Athenians* erred in the misapplication of that principle, when they *Condemned Socrates*, yet that Act shewes, that Magistrates are taught even by the light of Nature, to take care of Religion, and of their God, so far as to punish severely, blasphemers of God and corrupters of Religion.

But to let that knotty question alone, Herein I am sure our Author with all other sober men [both *Lutherans*, and *Calvinists*, *Classical* and *Congregational Divines*] agree, *Viz.* First, That Magistrates ought not to Countenance, but Discountenance, and repress Hereticks.

*Gerhard* who is so stiff against the punishing of simple Heresy with Death, yet makes this the Magistrates Duty, *to enquire after these Seducing Hereticks : that they may catch these Foxes, who first convey their poison more secretly before they come to appear openly.*

Blessed *Burroughs*, a man moderate enough, yet saith, *we were in a most miserable Condition, if we had no external Civil power to restrain from any kinds of blasphemies and seducements: the*  
Condition

De Consc. l. 4.  
c. 4. S. 15.  
\* Ans. to Bloody tract P. 95.

P. 599.

Men. P. 23.24.

*Condition of the Jews, ô how happy was it in comparison of ours: When those who are mad with damnable Heresies run from place to place, seeking to draw all they can from the truth, if we have no means of help but arguments, it is ill with us.*

Dr. Ames [in his answer to that question, *whither Hereticks should be punished by the Civil Magistrate?*] laies down an undeniable Truth. *That Hereticks ought to be repressed of all godly men according to that calling and power which they have received from God, is clear enough ex natura rei: because all godly men are called to the Christian warfare, that every one in his station should oppose himself to the Kingdome of darkness.* Now to what Kingdome doe Errors and Heresies belong? I am sure not to the Kingdome of Light. The Ministers in their station oppose these by Scripture, arguments, reproofs, exhortations, admonitions, excommunications: private Christians oppose them in their station either privately by arguing, &c. or more publicly as they consent to their Officers in Church Censures. Now how doth a Christian Magistrate in his station oppose these, [as a Magistrate] if he puts not forth his Coercive power also, to repress them. How shall he answer this Text, that his people under him may live in *All godliness?* if he lets his people run into Heresies, and *Gallio*-like regards not these things; How is he a *Minister for good*, *Rom. 13. 4.* To tie up this *good* to the second table, is to streighten where the word doth not; I hope *godliness* is good, and he is to be a Minister for that, according to our Authors Text; and that belongs to the first Table. But Heresie and Error are no parts of *godliness*.

What our Author saith concerning corrupt Opinions and practises, *that men take them up to serve factions and times, to please men, to serve their own bellies;* this is true of many if not most of the Sectaries in our Times. As a man may discern here, as also by what I have leaured by good Intelligence out of *Ireland*: and it is as true what our Author saith, had these been conscienciously and really discountenanced by the Magistrate, many had not taken these up, and many had laied these down.

Secondly, This I find is agreed upon by our Divines, who question the putting to Death of Hereticks; that Seducing He-

Synops. disp. 50.  
2. 56.

De magif. pol.  
p. 600.

reticks, obstinate, that will not be reclaimed, they should be Banished or some other way restrained by the Magistrate, to the end they may not infect others with their poison. Thus the *Leyden Professors*: aut deponendis, aut relegandos, aut alio modo constringendos, &c. So *Gerhard*: expellendi sunt, &c.

As for the plea of Conscience; it is true, Conscience is a tender thing, and those who carry themselves as conscientious men indeed, ought to be dealt very tenderly with: but for these we find them to be very rare amongst those who have drunk in the errors of our Times: And as *Mr. Burroughs* saith well, *the Divell must not be let alone though he be got into mens Consciences, God hath appointed no City of refuge for him: If he flies to mens Consciences as Joab to the horns of the Altar he must be fetched from thence, or fallen upon there.*

As for the clamour of *Persecution*, when the Magistrate puts forth his power to repress Heresies, our Author hath given a full answer to it: He may as well be charged with *Persecution* for punishing and labouring to repress Drunkenness, uncleanness, &c. which are works of the flesh, and so is *Heresy*, *Gal. 5. 20.*



Postscript.





## Postscript.

**I**T pleased the Lord in whose hands are our times, whilst this Book was in the Presse to call home to himselfe this godly Gentleman Mr. Meade, to whom this book is dedicated: the man was a sincere lover of Christ, a great lover and companion of all those who loved Christ, a diligent waiter upon all his Ordinonces, a high esteemer of and great friend to all his faithful Ministers, a man who loved not to eat his morsels alone[nor did.] Such a succession of strangers [especially of Ministers] there was to his house that none need fear an unaiired bed that lay there; considering his estate, we need not say, he was the second liberal Gentleman in Essex: he was deeply affected with the apprehensions of the dark and miserable daies coming upon England; but as he lived not to read over this book, so the Lord would not let him live to see those daies, he is gone to his fathers in peace.

FINIS.